

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Group Art Unit: 2157
)
Darran Potter, et al.) Examiner: El Chanti, Hussein A.
)
Application No. 10/691,994) Confirmation No.: 2452
)
Attorney Docket No. 50325-0837)
)
Filed: October 22, 2003)
)
For: SYSTEM AND METHOD FOR SERVICE)
DEVELOPMENT OVER)
CONTENT-SPECIFIC SESSIONS)

Mail Stop AF

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In reply to the Notice of Non-Compliant Amendment mailed on October 15, 2008, applicants respectfully request reconsideration.

The Notice of Non-Compliant Amendment states that Applicants' signature included in Applicants' previous Reply is non-compliant because "[t]he signature includes a special character '#' sign which is not permitted under 37 CFR 1.4 (d)(2)(i)." (Notice of Non-Compliant Amendment, continuation sheet) This is incorrect.

Applicant signed in the form "/MalgorzataAKulczycka#50496/," which is **expressly authorized by** 37 CFR 1.4 (d)(2)(ii), which states:

"(ii) A patent practitioner (§ 1.32(a)(1)), signing pursuant to §§ 1.33(b)(1) or 1.33(b)(2), must supply his/her registration number either as part of the S-signature, or immediately below or adjacent to the S-signature. The number **(#) character may be used** only as part of the S-signature when appearing before a practitioner's registration number; otherwise the number character may not be used in an S-signature. "

(Emphasis added.) Since the Applicants are represented by a patent practitioner, the patent practitioner was required to “supply her registration number [...] as part of the S-signature.” The use of the “#” character preceding the practitioner’s registration number in the S-signature complies with 37 CFR 1.4(d)(2)(ii).

The Notice relies on part (i) of Rule 4, but completely ignores part (ii), which plainly authorizes the form of signature that Applicants used. This is clearly erroneous.

Moreover, the Notice is defective because the Notice fails to identify the date of any particular paper in space 1. Thus, the Notice fails to give adequate notification to the applicants of any particular defect in any particular paper.

For all the foregoing reasons, the S-signature that Applicants provided in their most recently reply fully complies with all applicable rules. Reconsideration is respectfully requested.

Further, consideration of the Office Action filed by the Applicants on August 7, 2008 is respectfully requested.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Date: October 23, 2008

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